

A**IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA**

CHRIS CONRAD and SALLY CONRAD,)
HUSBAND AND WIFE, and TAYLOR) Case No. CI 21-
BISHOP,)
Plaintiffs,) **COMPLAINT**
vs.)
AMNEAL PHARMACEUTICALS, INC.,)
Defendant.)

COMES NOW, Plaintiffs and for their cause of action against Defendant allege and state as follows:

1. Plaintiffs Chris and Sally Conrad (the “Conrads”) are residents of Sarpy County, Nebraska.
2. Plaintiff Taylor Bishop (“Bishop”) is a resident of Douglas County, Nebraska.
3. Defendant, Amneal Pharmaceuticals, Inc. (“Amneal”), is a Delaware corporation with its principal place of business at 400 Crossing Blvd., Bridgewater, NJ 08807. At all times material to this case, Amneal has been engaged in the manufacturing, sale, and distribution of Metformin HCl ER, USP in the United states and distribution and sale in Nebraska.
4. Venue is proper.
5. The Court has jurisdiction as to all events material hereto.
6. Metformin is an oral medication that is used in the treatment of type-2 diabetes. It is one of the topmost prescribed medications in the United States.

7. On or about November 2018 Bishop was diagnosed with Polycystic ovary syndrome (“PCOS”) by Peggy an APRN with LifeCare Family Medicine in Bellevue, Nebraska. She was prescribed Metformin Extended Release on this date to treat the symptoms of her PCOS.

8. Bishop had her thyroid levels checked prior to starting Metformin as a routine test at her doctor visit, at which time they were normal and not above/below average.

9. Bishop was diagnosed with Thyroid Cancer in July of 2019, when she discontinued use of Metformin.

10. There are 11 manufacturers and 6 name brands of Metformin on the market.

11. As of July 13, 2020, several batches of metformin made by different drug manufacturers tested positive for a potential carcinogen. This carcinogen was known to cause thyroid cancer.

12. Because of this carcinogen the FDA requested that Metformin be taken off the market by the manufacturers.

13. As of October 5, 2020, the FDA reported that Amneal Pharmaceuticals recalled their Metformin prescriptions whether expired or not.

14. At the time of her diagnosis in July of 2019, Amneal Pharmaceuticals knew, or should have known, about the carcinogen in Metformin.

15. Amneal is required to complete testing on their medications routinely to make sure that there are no possibly harmful effects or ingredients in them.

16. Amneal has been the subject of multiple FDA investigations into their manufacturing practices and history of ongoing violations with their medications.

17. In one of the most recent inspections done by the FDA of Amneal they were cited for not reviewing the testing data obtained on their manufactured medications.

18. Amneal's Metformin is accompanied by an FDA approved label which gives the consumer the false idea that it is safe and approved by the FDA and that the testing done meets the standards set by the FDA, are safe for consumption, and are without the harmful carcinogens present in the Metformin.

19. Bishop's thyroid levels were normal prior to taking the Metformin manufactured by Amneal. There is no history of thyroid cancer in the family and no other indications of the cause of her diagnosis other than the Metformin carcinogen.

20. Bishop had to undergo surgery and treatment in the amount of \$60,000.00 for the thyroid cancer and will continue to undergo treatment in the amount of \$600.00 per year for the rest of her life.

21. Bishop will suffer not having a thyroid for the rest of life and need to take medication to regulate her body's metabolic rate that controls her heart, muscle and digestive functions. Bishop is also now more susceptible to a secondary cancer.

22. Amneal would have known of the carcinogen in their Metformin if they had followed the testing regulations set by the FDA and reviewed the raw data as required. As such they allowed a harmful product to be put on the market for consumers, under the guise that it was safe and approved by the FDA.

23. Bishop would not have agreed to take, and her doctor would not have prescribed her a medication, that they knew was not properly tested under the FDA

standards. Amneal falsely labeled their Metformin to mislead Bishop to take the prescription which led to her thyroid cancer and injuries.

WHEREFORE, Plaintiffs pray the Court enter an order against Defendant for strict liability for an award of \$2,000,000.00 for past and future medical expenses. Further, Plaintiffs pray for judgment in their favor and against the Defendant for attorney fees and other and further relief as the Court finds just and equitable.

DATED this 29 day of October, 2021.

CHRIS CONRAD and SALLY CONRAD, and TAYLOR BISHOP,
Plaintiffs,

By: /s/Zachary W. Lutz-Priefert
ZACHARY LUTZ-PRIEFERT, #25902
ALEXANDRIA M. BARTELS #27018
GROSS & WELCH, P.C., L.L.O.
1500 Omaha Tower
2120 South 72nd Street
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abartels@grosswelch.com
Attorneys for Plaintiffs

14270-1/6HT3912

Image ID:
D00762381D01**SUMMONS**

Doc. No. 762381

IN THE DISTRICT COURT OF Douglas COUNTY, NEBRASKA
 1701 Farnam
 Omaha NE 68183

Chris Conrad v. Amneal Pharmaceuticals, Inc.

Case ID: CI 21 10617

TO: Amneal Pharmaceuticals, Inc.

FILED BYClerk of the Douglas District Court
10/29/2021

You have been sued by the following plaintiff(s):

Chris Conrad
Taylor Bishop

Sally Conrad

Plaintiff's Attorney: Zachary W Lutz-Priefert
 Address: 1500 Omaha Tower
 2120 S 72nd St.
 Omaha, NE 68124
 Telephone: (402) 392-1500

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: OCTOBER 29, 2021

BY THE COURT:



John M. Friend
Clerk

PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Amneal Pharmaceuticals, Inc.
 400 Crossing Blvd.
 Bridgewater, NJ 08807

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.



SERVICE RETURN

Doc. No. 762381

Douglas District Court
 1701 Farnam
 Omaha NE 68183

To:

Case ID: CI 21 10617 Conrad v. Amneal Pharmaceuticals, Inc.

Received this Summons on _____, _____. I hereby certify that on
 _____, ____ at _____ o'clock __M. I served copies of the Summons
 upon the party:

 by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage ____ miles _____

TOTAL \$ _____

Date: _____ BY: _____
 (Sheriff or authorized person)

**CERTIFIED MAIL
 PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail,
 TO THE PARTY: _____

At the following address: _____

on the _____ day of _____, as required by Nebraska state law.

Postage \$ _____ Attorney for: _____

The return receipt for mailing to the party was signed on _____, _____.

To: Amneal Pharmaceuticals, Inc.

400 Crossing Blvd.

Bridgewater, NJ 08807

From: Zachary W Lutz-Priefert

1500 Omaha Tower

2120 S 72nd St.

Omaha, NE 68124

ATTACH RETURN RECEIPT & RETURN TO COURT

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

CHRIS CONRAD and SALLY CONRAD,)
HUSBAND AND WIFE, and TAYLOR) Case No. CI 21-
BISHOP,)
Plaintiffs,) **PRAECIPE FOR SUMMONS**
vs.)
AMNEAL PHARMACEUTICALS, INC.,)
Defendant.)

TO THE CLERK OF SAID COURT:

Please issue Summons, to be served by certified mail, upon the Defendant, at the following address:

Amnael Pharmaceuticals, Inc.
400 Crossing Blvd.
Bridgewater, NJ 08807

Plaintiff will serve a copy of the Complaint filed herein with each Summons.

Dated this 29th day of October, 2021.

CHRIS CONRAD and SALLY CONRAD,
and TAYLOR BISHOP, Plaintiffs,

By: /s/Zachary W. Lutz-Priefert
ZACHARY LUTZ-PRIEFERT, #25902
ALEXANDRIA M. BARTELS #27018
GROSS & WELCH, P.C., L.L.O.
1500 Omaha Tower
2120 South 72nd Street
Omaha, NE 68124
(402) 392-1500
zlutzpriefert@grosswelch.com
abartels@grosswelch.com
Attorneys for Plaintiffs

SERVICE RETURN

Douglas District Court
1701 Farnam
Omaha NE 68183

To:

Case ID: CI 21 10617 Conrad v. Amneal Pharmaceuticals, Inc.

Received this Summons on _____, _____. I hereby certify that on

_____, _____ at _____ o'clock ___ M. I served copies of the Summons upon the party:

by _____

as required by Nebraska state law.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
Copy	<ul style="list-style-type: none"> <input type="checkbox"/> Complete items 1, 2, and 3. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
Mileage		B. Received by (Printed Name)	C. Date of Delivery
TO	1. Article Addressed to:	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No	
Date:	Amneal Pharmaceuticals, Inc. 400 Crossing Blvd. Bridgewater, NJ 08807		
Copies		3. Service Type	
TO THE		<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
At the	9590 9402 6727 1060 9679 82		
	2. Article Number (Transfer from service label) 7021 0950 0000 3173 8956		
	PS Form 3811, July 2020 PSN 7530-02-000-9053	RCO-12-14-21 Domestic Return Receipt	

on the 2021 day of December 2021, as required by Nebraska state law.Postage \$ 7.53 Attorney for: PlaintiffThe return receipt for mailing to the party was signed on 12-14-2021.

To: Amneal Pharmaceuticals, Inc.
400 Crossing Blvd.
Bridgewater, NJ 08807

From: Zachary W Lutz-Priefert
1500 Omaha Tower
2120 S 72nd St.
Omaha, NE 68124

ATTACH RETURN RECEIPT & RETURN TO COURT

Certificate of Service

I hereby certify that on Thursday, December 16, 2021 I provided a true and correct copy of the Return-Summons/Alias Summons to the following:

Conrad,Chris, represented by BARTELS, ALEXANDRIA M. (Bar Number: 27018) service method: Electronic Service to abartels@grosswelch.com

Amneal Pharmaceuticals, Inc. service method: Certified Mail

Conrad,Sally, represented by BARTELS, ALEXANDRIA M. (Bar Number: 27018) service method: Electronic Service to abartels@grosswelch.com

Bishop,Taylor, represented by BARTELS, ALEXANDRIA M. (Bar Number: 27018) service method: Electronic Service to abartels@grosswelch.com

Signature: /s/ LUTZ-PRIEFERT, ZACHARY WILLIAM (Bar Number: 25902)